

DOMINION OF CANADA

REPORT

OF THE

COMMISSIONER OF PATENTS

FOR THE

Fiscal Year ending March 31, 1922

PRINTED BY ORDER OF PARLIAMENT



OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

ANNUAL REPORT
OF THE
COMMISSIONER OF PATENTS

*To His Excellency, General, the Right Honourable Lord Byng of Vimy, G.C.B.,
G.C.M.G., M.V.O., Governor General and Commander in Chief of the Dominion
of Canada.*

MAY IT PLEASE YOUR EXCELLENCY:

The undersigned has the honour to present to Your Excellency the report of the
Commissioner of Patents for the fiscal year ended March 31, 1922.

All of which is respectfully submitted.

JAMES A. ROBB,

Minister of Trade and Commerce.

OTTAWA, July 20, 1922.

ANNUAL REPORT OF THE COMMISSIONER OF PATENTS

The Honourable JAMES A. ROBB, M.P.,
Minister of Trade and Commerce.

SIR,—In pursuance of the requirements of the 63rd section of the Patent Act, chapter 69, R.S.C., 1906, and section 5A of an Act respecting the Patent Act, the Copyright Act, the Trade Mark and Design Act, and the Timber Marking Act, chapter 64, 9 and 10, George 5, I have the honour to report as follows upon the proceedings in the fiscal year ending March 31, 1922, under the provisions of these Acts.

PROCEEDINGS UNDER PEACE PROVISIONS

Provision was made by the Treaties of Peace for extending the time for the fulfilment of any action which should have been effected during the period of the war. The Treaty of Peace (Germany) Order, 1920, and the Treaties of Peace (Austria and Bulgaria) Order, 1921, gave effect to these provisions in Canada. Under the powers conferred by these Orders and under an Act to amend the Patent Act, chapter 44, 11-12 George 5, the renewal fees on 260 patents were accepted and the patents revived. Extension of time to import and manufacture was granted on 71 and 73 patents respectively. There was also a large number of applications accepted for which the time for filing had expired under section 8 of the Patent Act.

GENERAL BUSINESS

The general business of the office for the year ended March 31, 1922, showed a slight decrease as compared with the preceding year. This was for the most part due to the expiration of the period giving relief by special legislation for those inventors, patentees and proprietors who owing to causes arising from the war had lost or had failed to acquire their rights under the Patent Act.

The number of applications for patents filed was 12,274. This is 1,172 less than last year, or a decrease of 8 per cent. There were 7,393 patents issued. This is a decrease of 3,759, or over 33 per cent less than last year. This large diminution resulted in the change in the manner of payment of fees under an Act amending the Patent Act assented to June 4, 1921. By this amendment applicants were given six months from the date of the notice of allowance of the application in which to remit the final fee. So many took advantage of this privilege to withhold the fee until the last moment that the issue was temporarily reduced. Since the expiration of the first six months under the new Act the number of patents issued has increased and during the next year should make up for the apparent decrease in this year. Certificates for renewal fees totalled 2,620, an increase of 71, or about 3 per cent over the previous year. Four hundred and eighty-seven of these renewals were received under the Patent Act, chapter 69, R.S.C., 1906, and 2,133 were received as final fees under the amendment to the Patent Act (11-12 George 5, chapter 44). The number of assignments recorded was 5,481, a decrease of 44, or less than one per cent.

13 GEORGE V, A. 1923

Patents placed under the benefit of the provisions of section 44 of the Patent Act numbered 2,410. This is a decrease of nearly 36 per cent, or a total of 1,347 less than during the preceeding twelve months. Of the total number granted fees were paid on 1,717 under the Order in Council of June 18, 1921. There were 6,935 reports on applications issued by examiners. This exceeds last year by 115, or about 2 per cent. The applications for, and the issue of caveats increased slightly. Applications for 519 caveats were filed and 420 caveats were issued. This is an increment of 51 and 10, or 10 per cent and 2 per cent respectively. Notices under section 8 of the Patent Act were practically the same as last year. They were 381 in number, or three more than in 1921. The total number of transactions relating to patents was 38,577, a decrease of 5,928, or over 13 per cent less than last year.

Registrations of Copyright numbered 1,465. This is 264 less than last year, a decrease of 15 per cent. Trade-mark registrations totalled 2,488, an increment of 360, or nearly 17 per cent. There were 369 Industrial Designs recorded, an increase of 53, or 16 per cent. Timber Marks registrations declined to 20, a decrease of 38, or about 65 per cent. The number of assignments of Copyright, Trade-marks, Designs and Timber Marks amounted to 570, a decrease of 54, or 8 per cent. The total registrations affecting Copyrights, Trade-marks, Industrial Designs and Timber Marks were 5,048, a gain of 193, or about 4 per cent greater than last year.

A statement of the particulars of the transactions of the Patent and Copyright Office is given in appendix A, and a comparative statement for the last ten years is given in appendix B.

RECEIPTS AND EXPENDITURE

The receipt of fees from all sources exceeded any previous year, notwithstanding the lowering of the fee and the decrease in the number of applications filed. The increase was due for the most part to the change in the system of paying a filing and an issue fee instead of a filing fee and renewals. About \$11,000 of the increase came from the new fees collected for filing petitions for license, importation and manufacture. The total net receipts were \$454,886.24, an increase of \$46,999.51 over the net amount received in 1921. The expenditure was \$202,193.39, and the surplus of receipts over expenditure was \$252,692.85. The receipts from Patent fees was \$380,206.90, a gain of \$35,494.67 over the preceding year. From the Copyright and Trade-mark Branch of the office the fees were \$74,679.34, an increase of \$11,504.84.

A statement of the receipts and expenditure is given in appendix C, and detailed monthly statements of fees from the Patent Branch and the Copyright and Trade-mark Branch are given in appendices D and E respectively.

RESIDENCE OF INVENTORS FOR PATENTS GRANTED

The country of residence of inventors for patents issued is given in appendix F. Of the total number granted 4,929 were applied for by residents of the United States of America. This is nearly 67 per cent of the whole issue but is a 2 per cent decrease from last year. Inventors resident in Canada contributed 1,199, or 16 per cent, an increment of 1 per cent. Residents of Great Britain, its colonies and possessions applied for 838, or over 11 per cent of the total. This is also an increase of over 3 per cent. The remaining 427, or over 5 per cent, came from inventors in twenty-seven other countries.

EXCHANGE OF PUBLICATIONS

The office received during the year, in exchange for the *Patent Office Record*, the official publications and reports of patents, trade-marks, and designs from Great

SESSIONAL PAPER No. 9

Britain, Australia, New Zealand, France, the United States, Italy, Switzerland and Japan. The office also received at intervals as published the abridgements of patents and bound volumes of patents of Great Britain, the printed copies of French patents, and the current weekly issue of United States patents.

In addition about sixty scientific and technical periodicals for the use of the examining corps were subscribed for or exchanged for the *Record*.

STAFF

The number of employees of the office averaged 111 during the year, consisting of 90 permanent and 21 temporary officers and clerks. During the twelve months one examiner of patents resigned and one retired on superannuation. One clerk was superannuated and two resigned. The position of chief examiner of patents was created. All additional appointments were made to the clerical staff and were filled by temporary employees.

The additions to the staff were for the most part necessary on account of the increased work caused by the amendment to the Patent Act. By this amendment the receipt of fees in two installments and the taxing of petitions under sections 39, 40 and 44 of the Patent Act resulted in an increase issue of receipts and book-keeping in the accounting division. The preparation and mailing of notices of allowance and the resulting noting and filing of applications added to the work of the correspondence, records and examiners' clerks divisions.

TREND OF INVENTION

There were few outstanding features in the field of invention. The subject of locomotion maintained its pre-eminence. The land vehicle class was again the largest single class of invention and internal combustion engines was the next largest. Both these classes showed substantial gains in the number of applications filed therein. Applications relating to aeronautics declined. In railways, rolling stock and draft appliances there were slight decreases, but there was an increase in the number for railway brakes. There were fewer applications for ships but an increased number for small boats and ships' davits.

Small arms, ammunition, ordnance and other classes of inventions relating to warfare were very inactive.

Some classes of metal working such as grinding, founding, tool-making and turning increased. In metal founding there were numerous inventions for centrifugal casting machines and devices for handling moulders' sand. In the general class of metal-working apparatus the number of applications for machines combining a plurality of operations and devices for assembling machine parts, such as valve spring appliers and removers, increased.

In agricultural machinery there were decreases in the applications for ploughs, harrows, harvesters and grain separators.

The electrical classes as a whole were active. Applications for high-tension insulators, thermal cutouts and electric heaters showed substantial gains. There has also been continued progress in automatic and semi-automatic telephone exchanges and in the development of wireless communication.

In apparel and dress fastenings there have been notable gains in soft collars and cuffs and in separable fasteners.

The treatment of textile fibres and their manufacture into thread and cloth has decreased.

The interest in vehicle signals both mechanically and electrically operated has been well maintained.

13 GEORGE V, A. 1923

Machines for use in glass blowing and moulding increased nearly fifty per cent.

Other arts which had substantial gains were printing, advertising devices, paper manufactures, oil distillation, food products and confectionery, dyes, book binders, plastics and rubber treatment, boots and shoes, and furniture.

In many classes of invention there were slight decreases. In the classes containing tire valves, pulp and paper treating processes and machines, electric railway signalling systems, typewriters, metal cans and boxes, metallurgical and electro-chemical processes, fences and gates, hoisting and loading means, and water controlling and distributing apparatus, there was a marked falling off.

NEW LEGISLATION AND ORDERS IN COUNCIL

During the year two new Acts were passed by Parliament, viz., an Act to amend the Patent Act (11-12 George 5, chapter 44), and an Act to amend and consolidate the Law relating to Copyright (11-12 George 5, chapter 24). Both Acts were assented to June 4, 1921.

The first of these Acts provided for extension of time for filing applications for patent, and for importation and manufacture, and gave the Commissioner of Patents powers to carry out the provisions respecting industrial property under the Treaties of Peace as defined in the Peace Treaties Orders in Council. It also changed the fee for a patent and the manner of payment from a fee of sixty dollars payable in three terms of six years each to a fee of thirty-five dollars payable fifteen dollars on the filing of the application and twenty dollars on the issue of the patent. This has resulted in an increased revenue to the office notwithstanding that the cost to the patentee has been reduced over forty per cent.

The second Act is to come into force on a day to be fixed by proclamation of the Governor in Council, but such proclamation has not yet been issued. This Act affords most complete copyright protection throughout Canada to literary, dramatic, musical and artistic works, including dramatization of non-dramatic literary works, the making of phonographic records, pianola rolls of musical works, and moving picture films of artistic works, and will enable Canadians to obtain similar protection for their works throughout the civilized countries of the world.

An Order in Council of June 18, 1921, passed under subsection 3 of section 2 of the Act to amend the Patent Act assented to on the 4th of June, 1921, provided for the imposition of a fee of five dollars on filing a petition for an extension of time under sections 39 or 40 of the Patent Act or for the benefit of the provisions of section 44 of the said Act for each patent mentioned in such petition.

Respectfully submitted,

GEORGE F. O'HALLORAN,

Commissioner of Patents.

OTTAWA, July 20, 1922.

APPENDICES

APPENDIX A

TRANSACTIONS OF THE PATENT AND COPYRIGHT OFFICE FROM APRIL 1, 1921, TO MARCH 31, 1922

(a) Transactions of the Patent Branch.

Applications for Patents.. . . .	12,274
Patents granted—	
Under Chapter 69, R.S.C., 1906.	
Fees paid for 6 years on issue.. . . .	2,221
Fees paid for 12 years on issue.. . . .	1
Fees paid for 18 years on issue.. . . .	3
Under Chapter 44, 11-12 George V.	
Fees paid for 18 years on issue.. . . .	5,148
Re-issues granted—	
Under Chapter 69, R.S.C., 1906.	
For 6 years.. . . .	5
For 12 years.. . . .	2
Under Chapter 44, 11-12 George V.	
For 6 years.. . . .	4
For 18 years.. . . .	9
Total.. . . .	7,393
Certificates for renewal fees after issue—	
Under Chapter 69, R.S.C., 1906.	
For 6 years.. . . .	459
For 12 years.. . . .	28
Under Chapter 44, 11-12 George V.	
For 6 years.. . . .	247
For 12 years.. . . .	13
For 18 years (as final fees).. . . .	1,873
Total.. . . .	2,620
Reports by Examiners in addition to patents granted.. . . .	6,935
Assignments of Patents.. . . .	5,481
Patents placed under section 44.. . . .	2,410
Importation extensions	71
Manufacture extensions.. . . .	73
Notices under section 8.. . . .	381
Caveats—	
Applications.. . . .	519
Grants.. . . .	420
Total transactions.. . . .	38,577

(b) Transactions of the Copyright and Trade-mark Branch.

1. Copyrights—	
Full Copyrights without certificates.. . . .	1,139
Full Copyrights with certificates.. . . .	191
Temporary Copyrights without certificates.. . . .	41
Temporary Copyrights with certificates.. . . .	19
Interim Copyrights without certificates.. . . .	41
Interim Copyrights with certificates.. . . .	34
Renewals of Copyrights..
Assignments of Copyrights.. . . .	35
Total.. . . .	1,500

13 GEORGE V, A. 1923

2. Trade Marks	2,488	
Renewals of Specific Trade Marks	121	
Assignments of Trade Marks	485	
Total.. .. .		3,094
3. Industrial Designs	369	
Renewals of Industrial Designs	15	
Assignments of Industrial Designs	44	
Total.. .. .		428
4. Timber Marks	20	
Assignments of Timber Marks	6	
Total.. .. .		26
Total registrations.. .. .		5,048

APPENDIX B

COMPARATIVE STATEMENT of the transactions of the Patent and Copyright Office from 1912 to 1922, inclusive.

a) Comparative Statement of the Patent Branch

	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922
Applications for Patents	8,681	8,559	7,502	7,793	8,751	8,683	9,025	11,198	13,446	12,274
Patents granted	7,502	7,918	6,867	6,812	7,520	7,233	6,052	9,527	11,152	7,393
Certificates for renewal fees	1,199	1,333	1,211	1,419	1,599	1,847	2,022	2,036	2,549	2,620
Caveats granted	353	354	391	419	358	364	349	408	410	420
Assignments	3,741	3,432	3,391	3,311	3,661	3,425	3,690	4,479	5,525	5,481
Fees received, net	\$218,125 02	\$215,601 71	\$190,028 37	\$202,630 40	\$227,094 09	\$228,275 57	\$239,345 38	\$291,046 28	\$344,712 23	\$380,206 90

b) Comparative Statement of the Copyright and Trade Mark Branch.

	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922
Copyrights registered	1,760	1,835	1,675	1,477	1,384	1,440	1,436	2,028	1,729	1,465
Certificates of copyright	205	207	193	146	160	128	142	201	174	244
Trade Marks Registered	1,315	1,378	1,106	1,019	840	987	919	1,735	2,128	2,609
Industrial Designs Registered	228	165	224	215	196	177	169	186	316	384
Timber Marks Registered	15	57	24	27	55	31	90	22	58	20
Assignments Registered	559	264	242	279	333	234	255	320	624	570
Fees received, net.	\$43,061 56	\$41,251 98	\$32,840 87	\$29,645 11	\$28,642 81	\$32,265 28	\$40,178 82	\$60,450 69	\$63,174 50	\$71,679 34

APPENDIX C

RECEIPTS AND EXPENDITURES FOR 1921-22

RECEIPTS	EXPENDITURES
Cash received. \$480,378 81	Salaries.. . . . \$150,649 74
Cash refunded.. . . . 25,492 57	Patent Record.. . . . 22,593 82
	Contingencies.. . . . 28,949 83
	\$202,193 39
	Receipts over expenditures .. . 252,692 85
Net cash.. . . . \$454,886 24	\$454,886 24

APPENDIX D
DETAILED STATEMENT Patent Office Fees for Year 1921-22.

Month	Notices	Patents	Assign-ments	Certified Copies	Caveats	Sundries	Subscrip-tions	Section 44	Import	Manufac-ture	Totals
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
	cts.	cts.	cts.	cts.	cts.	cts.	cts.	cts.	cts.	cts.	cts.
1921											
April.....	70 00	25,370 43	912 75	490 10	266 20	22 25	47 25				27,178 98
May.....	66 00	24,578 38	919 50	522 35	175 00	35 00	75 05				26,371 28
June.....	74 00	24,626 40	1,019 75	570 30	184 00	78 47	30 43				26,583 35
July.....	68 00	25,371 45	764 35	376 20	197 25	25 00	28 50				26,830 75
August.....	50 00	28,974 00	999 90	398 05	225 15	63 25	46 10	752 10	75 00	10 00	31,593 55
September.....	52 00	26,359 13	860 50	457 35	180 00	30 00	119 50	1,155 00	105 00	45 00	29,363 48
October.....	78 00	24,974 56	873 50	450 15	215 20	88 68	35 25	1,155 00	181 00	160 00	28,211 34
November.....	62 00	33,226 74	1,102 70	508 50	145 75	86 20	33 10	1,000 00	160 00	96 00	36,420 99
December.....	56 00	47,254 72	1,568 60	419 30	190 15	55 00	955 00	1,078 00	185 00	270 00	52,031 77
1922											
January.....	83 00	32,205 49	1,046 75	507 80	226 00	42 50	219 19	986 00	490 00	301 00	36,107 73
February.....	52 00	30,243 88	854 40	537 40	220 00	121 00	62 25	1,038 20	180 00	235 00	33,544 13
March.....	66 00	36,904 92	1,046 50	527 45	300 15	103 25	73 05	1,377 00	262 00	250 00	40,910 32
Totals.....	777 00	360,090 10	11,969 20	5,746 95	2,524 85	750 60	1,724 67	8,541 30	1,638 00	1,367 00	395,147 67
Refunds.....	15 00	13,760 57	132 85	290 15	57 20	282 80	44 20	198 00	55 00	105 00	14,940 77
Totals.....	762 00	346,329 53	11,836 35	5,474 80	2,467 65	467 80	1,680 47	8,343 30	1,583 00	1,262 00	380,206 90

APPENDIX E

DETAILED STATEMENT Trademark and Copyright Fees, 1921-1922.

Month	Trade- marks	Copy- rights	Designs.	Timber- marks	Assign- ments	Certified Copies	Totals
1921	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
April.....	6,664 55	171 50	211 00	8 50	89 17	99 95	7,244 67
May.....	7,228 20	199 65	99 00	7 00	52 15	34 50	7,620 50
June.....	5,890 65	124 00	137 00	15 00	87 50	49 25	6,303 40
July.....	5,300 35	147 00	167 00	2 00	41 00	16 25	5,673 60
August.....	6,934 25	136 77	170 00	6 00	48 00	16 00	7,311 02
September.....	4,835 40	131 50	201 50	2 00	44 00	28 75	5,243 15
October.....	6,179 00	185 00	298 00	2 00	45 00	24 25	6,733 25
November.....	6,810 17	170 00	174 00	62 00	31 25	7,247 42
December.....	7,685 75	165 15	192 00	6 00	88 00	57 25	8,194 15
1922							
January.....	7,545 43	133 90	167 25	2 00	91 00	55 50	7,995 08
February.....	5,640 07	132 15	222 50	2 00	82 00	29 35	6,108 07
March.....	8,730 33	191 00	517 00	6 00	69 00	43 50	9,556 83
Totals.....	79,444 15	1,887 62	2,556 25	58 50	798 82	485 80	85,231 14
Refunds.....	10,051 45	45 90	431 00	2 00	21 45	10,551 80
Totals.....	69,392 70	1,841 72	2,125 25	58 50	796 00	464 35	74,679 34

Canada—		Foreign States— <i>Con.</i>	
Ontario..	508	America— <i>Con.</i>	
Quebec..	276	Chill..	3
British Columbia..	103	Porto Rico..	2
Saskatchewan..	101	Dominican Republic..	2
Alberta..	96	Panama..	1
Manitoba..	75		
Nova Scotia..	22	Total..	4,952
New Brunswick	14		
Prince Edward Island.	4	Europe—	
		Germany..	97
Total..	1,199	France	92
Great Britain and Ireland—		Sweden..	53
England..	633	Norway..	35
Scotland..	49	Switzerland..	30
Ireland..	14	Italy..	29
Wales..	10	Holland..	20
Channel Islands	1	Denmark..	12
		Belgium..	11
Total..	707	Austria..	7
British Colonies and Possessions—		Spain..	3
Australia..	65	Finland	2
New Zealand..	48	Luxemburg..	2
Transvaal..	6	Czecho Slovakia..	1
South Africa..	4		
Egypt..	4	Total..	394
India..	2		
Newfoundland..	1	Africa—	
British Guiana	1	Algeria..	1
		Portuguese East Africa..	1
Total..	131		
Foreign States—		Total..	2
America—		Asia—	
United States..	4,929	Japan..	8
Cuba..	5		
Argentine Republic	4	Total..	8
Mexico.	3		
Philippine Islands..	3	Grand total..	7,393

